

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MICHAEL ANTONELLI,)	
)	
Petitioner,)	
vs.)	NO. CIV-06-0628-HE
)	
JOE KEFFER, Warden,)	
)	
Respondent.)	

ORDER

Petitioner Michael Antonelli instituted this action seeking habeas relief and the matter was referred to Magistrate Judge Robert E. Bacharach, who recommended that the petition be denied. The magistrate judge concluded that a writ of habeas corpus was unavailable because the petitioner is challenging his conditions of confinement. The petitioner has filed an objection to the Report and Recommendation, asserting he may seek habeas relief under 28 U.S.C. § 2241.

After considering the petitioner's objections and conducting a *de novo* review of the petition, the court concurs with the magistrate judge's analysis and adopts his Report and Recommendation. Accordingly, the petition for writ of habeas corpus is **DENIED**. The petitioner's motion for relief from judgment [Doc. # 13] is **STRICKEN** as **MOOT**.

IT IS SO ORDERED.

Dated this 31st day of July, 2006.



JOE HEATON
UNITED STATES DISTRICT JUDGE